

Kyle Wallor (Nebraska Bar No. 21346)
LAMSON, DUGAN AND MURRAY, LLP
10306 Regency Parkway Drive
Omaha, NE 68114
Phone: (402) 397-7300

Barry N. Gutterman (BG6410)
BARRY N. GUTTERMAN & ASSOCIATES, P.C.
60 East 42nd Street, 46th Floor
New York, New York 10165
Phone: 212-983-1466
Email: BNGASSC@AOL.COM
Attorneys for Defendant
Union Pacific Railroad Company

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**IN RE: UNION PACIFIC TRAIN
DERAILMENT AT TYRONE,
OKLAHOMA, ON APRIL 21, 2005**

08 MD 1936 (BJS)(DF)

**RESPONSE TO MOTION FOR
RECONSIDERATION AND IN
SUPPORT OF MOTION FOR
RECONSIDERATION**

COMES NOW, Union Pacific Railroad Company, and hereby supports and joins in the Motion for Reconsideration and the points made within the Motion for Reconsideration filed by "K" Line America, Inc., and Kawasaki Kisen Kaisha, Ltd. and dated June 18, 2008.

WHEREFORE Union Pacific Railroad Company respectfully requests the Court grant the Motion for Reconsideration filed by "K" Line America, Inc., and Kawasaki Kisen Kaisha, Ltd.

Dated this 23rd day of June, 2008.

UNION PACIFIC RAILROAD COMPANY, Defendant,

By: 

Kyle Wallor, Nebraska Bar No. 21346
LAMSON, DUGAN and MURRAY, LLP
10306 Regency Parkway Drive
Omaha, NE 68114
(402) 397-7300

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2008, I electronically filed the forgoing with the clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

Indemnity Ins. Co. (No. 06-0615), Federal Insurance (No. 06-3038), Royal & Sun (No. 06-2557), Mistui Sumitomo (No. 06-2956), ACK Controls (No. 06-3040)

David L. Mazaroli dlm@mazarolilaw.com

K-Line America, Inc. and Kawasaki Kisen Kaisha, Ltd.

John D. Kimball jkimball@blankrome.com

David D. Jensen djensen@blankrome.com

World Commerce Services, LLC

Kenneth N. Wolf KWolf@strtrade.com

Tokio Marine, et al. (No. 06-5159)

Keith B. Dalen KDalen@hillrivkins.com

Christopher Panagos cpanagos@hillrivkins.com

Navigators Management Co. (No. 06-3042)

Lawrence C. Glynn, Esq. lglynn@nicolettihornig.com

Philips PC Peripherals (No. 06-2962)

Edward C. Radzik eradzik@mcdermottradzik.com

tdesimone@mcdermottradzik.com

Horizon Intermodal Express

James W. Carbin jwcarbin@duanemorris.com

A. Ryder amryder@duanemorris.com

Cargo Channel Services Ltd.

Henry P. Gonzalez, LL.M. gonzalez@rofgw.com

By: /s/Kyle Wallor
Kyle Wallor (KW4183)
William M. Lamson, Jr. (WL1837)
LAMSON, DUGAN, AND MURRAY LLP